

UNITED STATES OF AMERICA)
)
 v.)
)
 STEPHANY K. McDAVID)

)

(3) that the defendant understands her right to trial by jury, to persist in her plea of not guilty,

to the assistance of counsel at trial, to confront and cross-examine adverse witnesses, and her right against compelled self-incrimination;

(4) that the defendant understands what the maximum possible sentence is, including the effect of the supervised release term, and defendant understands that the sentencing guidelines apply and that the Court may depart from those guidelines under some circumstances;

(5) that the plea of guilty by the defendant has been knowingly and voluntarily made and is not the result of force or threats or of promises apart from the plea agreement between the parties;

(6) that defendant is competent to plead guilty;

(7) that the defendant understands that her answers may later be used against her in a prosecution for perjury or false statement;

(8) that there is a factual basis for the defendant's plea; and further,

I RECOMMEND that the Court accept both the defendant's waiver of indictment and plea of guilty and that the Defendant be adjudged guilty of the offense charged in the Information and have sentence imposed. A Presentence Report has been ordered. Should this Report and Recommendation be accepted and the Defendant adjudged guilty, sentencing has been scheduled for May 22, 2009, at 9:30 a.m., before Judge William C. Lee. Objections to the Findings and Recommendation are waived unless filed and served within ten (10) days. 28 U.S.C. § 636(b)(1)(B); Fed. R. Crim. P. 59; L.R. 72.1(d)(2).

DATED this 17th day of February, 2009.

S/ Roger B. Cosbey
Roger B. Cosbey
United States Magistrate Judge